

2684

**Gaughan, Pete (FMF)**

---

**From:** Hall, Charles [Charles.Hall@USPTO.GOV]  
**Sent:** Monday, April 04, 2005 2:52 PM  
**To:** pgaughan@reedtech.com  
**Cc:** Stephens, Deborah; Terrell, Kimberly  
**Subject:** FW: FMF processing -- 09/351,521

Pete:

See e-mail message below.

Per Ms. Stephens, please pull 09/351,521 and forward it to the TC as a match&return.

Apparently the RCE request from back in 2004 was granted.

Thanks.

Charles Hall

> -----Original Message-----

> From: Hall, Charles  
> Sent: Monday, April 04, 2005 11:47 AM  
> To: Stephens, Deborah; Terrell, Kimberly  
> Subject: FMF processing -- 09/351,521

>

> Ms. Stephens and/or Ms. Terrell:

> I've been contacted by an external customer with an FMF problem pertaining to paper file (non-IFW) 09/351,521:

> --- A Notice of Allowability (but for some reason not a Notice of Allowance) was mailed on 05/19/2003.

> --- The confused applicant sent in an invalid issue fee in August 2003 (I think).

> --- The Notice of Allowance (with a second Notice of Allowability) was mailed on 02/05/2004.

> --- The application went from TC 2600 to 7560 on 02/14/2004.

> --- The customer then filed a request for RCE and withdrawal from issue.

> --- The application went from 7560 to the Petitions Office on 03/12/2004.

> --- The Petitions Office decision is shown in PALM as PETITION DECISION - DISMISSED with a date of 05/04/2004. However, according to the customer (who recently ordered and viewed the file via a customer service request), the decision was not a simple dismissal. Instead, the decision (with a Petitions Office mail date of 04/01/2004) was that the the RCE was granted but that the withdrawal-from-issue request was declared moot.

> --- The application went from the Petitions Office to TC 2600 on 05/03/2004.

> --- The application moved around TC 2600 from 05/03/2004 until 03/01/2005.

> --- The application went to IDC on 03/03/2005.

> --- The application went from IDC to the FMF on 03/28/2005.

> --- The customer service request began and finished on 03/31/2005.

> --- As of today (04/04/2005) the application is on its way back to the FMF.

> Inasmuch as the RCE was granted, the customer is wondering why this application is in PUBS processing. What will happen to it when it gets back to the FMF? Should the customer call the examiner?